

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

v.

STEVEN LOPEZ

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CRIMINAL NUMBER C-21-651

STIPULATION OF FACT

Steven Lopez, hereinafter referred to as the Defendant, has agreed to stipulate with the Acting United States Attorney for the Southern District of Texas, Jennifer B. Lowery, through the undersigned Assistant United States Attorney, to the following facts and expected testimony concerning the violation of Title 18, United States Code, Section 2422(b) alleged in the count of the above-numbered Indictment. The parties agree that these facts are sufficient to establish a factual basis for the Defendant's plea, pursuant to Fed. R. Crim. P. 11(b)(3). The parties further agree that other facts exist, and those facts may be relevant at sentencing herein.

I.

As to Count One of the above numbered Indictment, the Defendant confesses that, within the Southern District of Texas:

1. that the Defendant knowingly persuaded an individual to engage in any sexual activity as charged;
2. that the Defendant used the Internet to do so;
3. that the Defendant believed that such individual was less than 18 years of age; and

4. That, had the sexual activity actually occurred, the defendant could be charged with the criminal offense of:

- a. Section 22.011(a)(2)(A) of the Texas Penal Code, which makes it a crime to intentionally and knowingly cause the penetration of the anus and sexual organ of a child (a person younger than 17 year of age, not the spouse of the actor) by any means;
- b. Section 22.011(a)(2)(B) to cause the penetration of the mouth of a child by the sexual organ of the actor;
- c. Section 22.011(a)(2)(C) to cause the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
- d. Section 22.011(a)(2)(D) to cause the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
- e. Section 22.011(a)(2)(E) to cause the mouth of a child to contact the anus and sexual organ of another person, including the actor.

under the laws of Texas.

II.

The Defendant further stipulates and agrees that, had the case proceeded to trial, the United States would have evidence as outlined below, and would have called witnesses to testify that:

On July 11, 2019, the Corpus Christi Police Department (CCPD), Internet Crimes Against Children (ICAC) unit received a report from a female citizen in Corpus Christi. The citizen advised that she had information about the Defendant planning to meet a 14-year-old juvenile for sex.

ICAC detectives interviewed the citizen, who claimed she had been dating the Defendant for about a year. In that time, the citizen had gained access to the Defendant's Instagram account. Without telling the Defendant, the citizen accessed the Defendant's Instagram account and discovered a series of messages beginning on July 1, 2019 between Minor Victim, who identified herself in the messages as a 14-year-old girl, and the Defendant. The messages between the two detailed the Defendant attempting to meet Minor Victim in order to have sex with Minor Victim. In exchange, Minor Victim asked the Defendant to give her money, or otherwise purchase items for Minor Victim.

The citizen captured screenshots of the exchanges and provided the screenshots to ICAC.

On July 31, 2019, Detective Alicia Escobar of CCPD ICAC obtained a search and arrest warrant for the Defendant. On August 2, 2019, CCPD arrested, mirandized, and interviewed the Defendant. The Defendant admitted to soliciting a minor for sex using Instagram, and also to meeting with Minor Victim to have sex with her on or about July 11, 2019. The Defendant called the Minor Victim a "wolf" who lured him into having sex with her.

Agents seized various devices from the Defendant's home, including a cellphone believed to have been used to communicate with the minor victim.

On August 2, 2019, Detective Escobar was able to identify Minor Victim by comparing images on Instagram and Facebook to those images Detective Escobar saw in the screenshots. Detective Escobar found contact information for the Minor Victim's mother. Upon being interviewed by Detective Escobar, Minor Victim's mother confirmed maternity of Minor Victim. Minor Victim's mother agreed to bring Minor Victim to ICAC's office in order to speak with law enforcement.

On August 9, 2019, Detective Escobar interviewed Minor Victim. Minor Victim admitted to chatting with the Defendant online, to meeting the Defendant at some point in July in order to have sex with him, and to accepting a phone from the Defendant as remuneration. The Minor Victim also discussed how she brought a juvenile friend with her to meet the Defendant. The Defendant had discussed trying to have sexual intercourse with both Minor Victim and the friend, but instead provided beer to the friend while the Defendant and Minor Victim had sex at his residence.

A search of Minor Victim's phone revealed the full communication between Minor Victim and the Defendant on Instagram, an Internet social media application.

Search warrants returned from Instagram show partial communication between the Defendant and Minor Victim, as the Defendant had deleted his Instagram account at some point prior to his arrest. The communications show the Defendant's efforts to solicit Minor Victim to engage in a sexual encounter. A forensic examination of the Defendant's phone did not reveal the Instagram messages; however, Minor Victim's contact information was found in the contacts, as well as call and SMS logs documenting contact with Minor Victim and screenshots showing communication with Minor Victim on Instagram.

The various pieces of digital evidence show that the communication between the Defendant and Minor Victim began on or about July 1, 2019, and ended on the day the Defendant engaged in sexual intercourse with Minor Victim, on or about July 11, 2019.

III.

The parties hereto agree that the United States could prove the above facts beyond a reasonable doubt.

The undersigned have thoroughly reviewed, understand, and agree that the information contained in this Stipulation of Fact are true and correct.

Elizabeth A. O'Connell w/p/f
STEVEN LOPEZ
Defendant

11/3/2021
Date

Elizabeth A. O'Connell
ELIZABETH A. O'CONNELL
Attorney for Defendant

11/3/2021
Date

JENNIFER B. LOWERY
ACTING UNITED STATES ATTORNEY

By: 
DENNIS E. ROBINSON
Assistant United States Attorney

October 29, 2021
Date